

REMARKS

In his July 17, 2008 Final Office Action, the Examiner finally rejected Claims 5-8 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,585,548 to Grosse Bley et al. ("Grosse Bley '548") in view of U.S. Patent No. 4,225,288 to Mugele et al. ("Mugele '288"). Alternatively, the Examiner finally rejected Claims 5-8 under 35 U.S.C. § 103(a) as being unpatentable over Grosse Bley '548 in view of Mugele '288 and as suggested by U.S. Patent No. 3,520,176 to Becker ("Becker '176").

In response, the Applicants submitted a request for reconsideration on August 29, 2008 to which the Examiner responded with an Advisory Action on September 23, 2008, maintaining his rejections of the claims. On October 15, 2008, the undersigned counsel, Examiner Dnyanesh Kasture, and Supervisory Examiner Devon Kramer participated in an Applicant Initiated Interview. The Applicants wish to thank the Examiners for their timely response to the request for an interview.

During the interview, the Examiners reiterated their position that the combination of Gross Bley '548 modified by Mugele '288 would disclose "a second valve [] provided ***between*** the exit side of the first high vacuum pump and the primary pump" even though there would be several other intervening elements in addition to the second valve between the primary pump and the first high vacuum pump. However, the Examiners agreed that the presently disclosed leak detector differed from the asserted combination of Gross Bley '548 modified by Mugele '288 in that, in the present invention, the second valve [8] is ***directly connected*** to the exit side [17] of the first high vacuum pump [16] (i.e., there are no elements (other than taps or connections) between the second valve [8] and the first high vacuum pump [16]), while in the asserted combination, there are several elements (including valves and a pump) between the second valve and the exit side of the first high vacuum pump, such that the second valve and first high vacuum pump are not "directly" connected. It was agreed that the Applicants would amend the claims to require that the second valve be "directly connected" to the exit side of the first high vacuum pump in order distinguish the combination of Gross Bley '548 and Mugele '288. Accordingly, the Applicants have amended independent Claim 5 to require that the second valve be "directly connected"

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to the exit side of the first high vacuum pump. In view of that amendment, the Applicants respectfully submit that the pending application is in condition for allowance.

The Applicants believe no additional fee (beyond the fee for the RCE) is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0289, under Order No. 327_106 from which the undersigned is authorized to draw.

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Respectfully submitted,

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